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THE REPORT OF THE BOARD OF POLICE COMMISSIONERS
CONCERNING THE SHOOTING OF EULIA LOVE
AND THE USE OF DEADLY FORCE



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PART III - TRAINING AND COMMUNITY RELATIONS

BOARD OF POLICE COMMISSIONERS

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PART III - TRAINING AND COMMUNITY RELATIONS

PART THREE

TRAINING AND COMMUNITY RELATIONS

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I.

INTRODUCTION

With the shooting of Eulia Love, the Los Angeles City Council and members of minority communities raised critical questions about police preparedness. After public hearings and further inquiry the Board of Police Commissioners determined that training standards and methods required reevaluation. To that end the Board, working with independent consultants and in cooperation with the Department, reviewed the propriety and effectiveness of Academy and in-service training, police-community relations and pertinent policies, standards and procedures.

II.

TRAINING

The Los Angeles Police Department has long led the way in professional police training. One measure of the Department's leadership is its ability to learn from weaknesses and strengths of actual field performance and translate that knowledge into improved practices. Another is its commitment to continuous scrutiny of general training techniques, identifying those methods that need to be strengthened or changed.

The Commission, in cooperation with the Chief of Police and his staff, has examined recruit and in-service training and has identified seven areas that require attention. Revisions of these general and specific practices are designed both to increase officer safety and to better serve the public interest.

1. The Use of Deadly Force

A. Present Procedure

"The Los Angeles Police Department has one of the most complete, if not the most complete, training facilities and curricula...in addition this Department has the most demanding of shooting qualification requirements," assessed Patrick Gallagher, Executive Director of the Police Executive Institute of the Police Foundation, on the completion of a recent informal survey of 29 police agencies.

Current in-service monthly firearms qualifications are based on major training revisions that occurred in 1974 and again in 1976 as a result of an extensive study by Training Division. Both qualification and bonus courses were revised with the intention among other things, to (1) avoid conditioning an officer to fire six rounds in sequence, (2) avert a conditioned response of firing all rounds at one target, (3) make target range practice conform more closely to actual shooting situations. To this end officers are no longer required to fire more than one shot at any given target on any range, bursts of fire are interrupted, and shooting is alternated between targets. Nonetheless, in the qualification and bonus courses, shots are fired in fixed sequence--officers do not have discretion over when to stop firing.

Recruit training currently emphasizes speed and accuracy. Aside from classroom instruction in firearms safety and maintenance, and shooting policy, approximately 63 hours of performance training in the use of firearms are included in the Academy's 960-hour recruit training syllabus. A total of 50 hours is spent on the target, combat and shotgun ranges, where shots are fired under time pressure. Some seven hours of performance training are spent on the practical combat course where, unlike the target, combat and shotgun courses, officers must decide when to shoot at various pop-up targets, and how many shots to fire. Beginning with the March, 1979 recruit class, five hours on the shotgun SAFE range, which requires handling of weapons under stress and choice of correct targets, were

added to the curriculum. Recruits are also training in the DEF™ simulator where wax bullets are fired during enactments of crime scenes that are projected life-size on a screen.

Beginning in May, 1978 seminars in the new shooting policy were required of all sworn personnel. Courses in shooting policy and in supervisory responsibility at the scene of officer-involved shootings are offered as part of advanced officer training, supervisory development school, vice school, detective school, and field training officer school. Mandatory roll-call training incorporates periodic, regular reviews of policies covering the use of force.

Although in past practice a representative of Training Division has been present at shooting reviews, and necessary modifications have been made in recruit training, the impact of shooting reviews on in-service training could be improved. Information concerning shooting reviews has not been disseminated widely; informal roll-call discussions have taken place the day after a shooting incident without the benefit of a thorough analysis by the Shooting Review Board (renamed Use of Force Review Board). Formal in-service training in shooting, other than roll-call training and monthly qualification, has been given approximately once every four years.

8. Future Procedure

It has been determined that shooting training should be modified to further reinforce that part of the 1977 Policy on the Use of Deadly Force which states: "An officer does not shoot with the intent to kill; he shoots when it is necessary to prevent the individual from completing what he is attempting." In order to reduce the possibility of excessive shots--that is, for officers to withhold fire when shooting is unwarranted--the following training areas are to be explored fully and recommendations are to be made. Within 30 days a progress report should be submitted to the Commission.

1. An increased emphasis on when and where to shoot, i.e., target discrimination in addition to how to shoot, in revolver and shotgun ranges.
2. A modification of the ranges to provide officers with an assessment of the effect of each one or two shots, i.e., "Did I reach my objective?" so that training is consistent with the stated policy of using minimum necessary force.
3. An evaluation as to whether veteran officers who had received most of their shooting training before the 1976 modifications require remedial training in target discrimination.

4. The cost effectiveness of expanding the DEFT Simulator program so it will remain open for extended training with an adequate library of enactments emphasizing shooting policy, with special emphasis on "minimizing the risk of death."
5. Establishment of monthly qualification procedures in defense and disarming tactics other than the use of deadly force.
6. Establishment of a procedure to implement the Use of Force Review Board's detailed analysis of specific incidents in all training programs to ensure expeditious and consistent departmental review of shooting policy and improved training methods.
7. Continued research into the use of intermediate (non-lethal) weapons and/or control devices which have the potential to significantly reduce reliance upon deadly force.
8. Development of a system of recognition for officers who resolve conflict through means other than the use of deadly force, when such alternatives are available and will not unnecessarily jeopardize officers' safety.

2. Crisis Intervention

Distraught people whose underlying problems stem from emotional crisis rather than criminal intent frequently pose a threat to themselves or others. The Department is called upon around-the-clock to intervene in potentially explosive psychiatric, drug and alcohol-related emergencies. One Department estimate indicates that 80% to 90% of contacts made in the field are non-criminal. To help officers cope with the vast number of social problems they face in a heterogeneous metropolitan city of more than 2.8 million people, the Commission is directing the immediate implementation of Crisis Intervention training.

A. Present Procedure

Specific crisis management skills are not being taught in depth during recruit or in-service training. While there are simulation exercises in handling mentally disturbed and suicidal persons, Academy courses on patrol tactics, the mentally ill and crisis negotiation do not focus on intervention techniques. Courses on tactics deal mainly with officer deployment and safety; videotapes concerning mentally ill persons address legal and detention procedures; the course on crisis negotiation deals primarily with officers' responsibilities in situations where hostages are held.

B. Future Procedure

The Commission has determined that for the increased protection of persons in the community officers must be equipped with psychological skills to defuse crisis situations and reduce the necessity of force. For their own protection officers must not be exposed needlessly to personal danger because of a lack of specialized techniques.

The Department is instructed to complete the formulation of a long-range Crisis Intervention program that will provide routine training to all field personnel in psychological techniques applicable to the resolution of family disputes, as well as other conflicts that are primarily of a non-criminal nature. The first phase of the Crisis Intervention program--the training of training officers--is to begin May 1st. Thereafter, quarterly progress reports should be submitted to the Commission for transmittal to the Council covering the precise methods and training requirements at the recruit and in-service levels. In the final development of all aspects of the Crisis Intervention program, which should be fully integrated into the Los Angeles Police Department's total training system within nine months, the Department should consult with local institutions of recognized expertise in the mental health field.

3. Stress Management

Stress, when untreated, can result in major financial, emotional and physical cost to officers and the citizens they serve. The benefits of a comprehensive stress management program include improved police work resulting from better selection, improved morale among officers, reduction in costs and liabilities resulting from a decrease in potentially adverse police actions, significant reduction in costs associated with worker's compensation and disability pensions and sounder judgments by officers on when and how to apply force.

A. Present Procedure

In 1977, the Commission convened an inter-departmental task force on police officer selection and stress management, with the following main components:

1. A pre-selection interview panel which will make final hire/no-hire recommendations based upon a background investigation and psychological evaluation.
2. A psychological services clinic within the Police Department which will provide: counseling; treatment; probationary evaluation; early identification of officers with stress problems; stress management training; and special medical intervention.

3. A continuing psychological evaluation program during the probationary period.

4. Ongoing research related to stress, with specific focus on anxieties connected with the escalation of force, and psychological assessment of police officers and candidates.

These recommendations were not funded at that time and no significant police stress management program is currently available.

B. Future Procedure

The Commission is committed to a major emphasis in the area of stress management and has determined that the comprehensive program developed conceptually in 1977 should serve as the core program for the Department. The Department is therefore instructed to update and re-submit the Interdepartmental Task Force On Police Officer Stress Proposal and report to the Commission within 30 days for immediate funding consideration.

These further programs are being undertaken by the Behavioral Science Section:

1. Study of Officer Attitudes and Effects of Attitudes in Police Shooting Situations. This project, initiated by the Department, is directed to an understanding of the role of attitudes in shootings and ways in which negative attitudes that affect those shootings can be modified. The Department should report the results of this study and implications for training modifications, on or before March 30, 1980.
2. Evaluation of Psychological Training at the Academy. At the request of the Commission the Behavioral Science Section is undertaking an examination of the psychological and behavioral

concepts being taught at the Academy. A progress report with specific recommendations for curriculum changes, including course content, teaching aids and outside experts, is to be made to the Commission within 30 days.

3. Early Prevention of Emotional Emergencies. A staff of five part-time psychologists, each responsible for three divisions, is being hired by the Department to train supervisors to detect early warning signs of emotional distress. Supervisors will be prepared to offer brief counseling and make appropriate referrals.

4. Minority Relations

The demography of Los Angeles has changed dramatically over the past decade. Population percentages, based on a 1977 survey by the Community Development Department, show that whites account for 52 per cent of the population, Hispanics 24 per cent, blacks 18 per cent, and other non-whites 6 per cent. Departmental estimates of the undocumented population would alter these percentages to whites 42 per cent, Hispanics 38 per cent, blacks 15 per cent, and other non-whites 5 per cent. Los Angeles, with burgeoning minority communities, provides a special challenge to law enforcement in dealing with crisis situations of an inter-personal nature. That challenge must be met, in part, with greater understanding of the attitudes and family relationships of the people who make up the minority segments of our population, as well as the assumptions and preconceptions of the officers who serve them.

A. Present Procedure

Approximately six hours of a 960-hour curriculum are devoted to awareness of specific cultures, as follows: Black culture, 2 hours; Mexican culture, 1.5 hours; American Indian culture, 1.5 hours; Oriental cultures, 1 hour; Jewish culture, 23 minutes. For the most part these segments are taught by lecturers who are police officers from minority communities. Jewish culture is taught by videotape. Small-group discussions are based on materials contained in the Department's Human Relations Handbook.

B. Future Procedure

The Police Commission is directing the Department to provide additional recruit and in-service training in ethnic considerations, shifting the emphasis away from lectures and videotapes toward an instructional format that will bring officers into personal contact with a cross-section of minority persons. The Department is instructed to prepare such a program. A progress report should be submitted to the Commission within 30 days. It should include the use of panels made up of minority persons and police officers to discuss economic and social community problems as well as such topics as "What it means to be black, Hispanic, Asian", "What it means to be a police officer", and how those feelings affect their interaction. Additionally, the curriculum should provide for officers' visits to minority communities and subsequent "rap" sessions at the Academy with representatives of minority communities, e.g., clergymen, businessmen, school officials, administrators of social service organizations.

To the extent that misunderstanding and misapprehension stem from racial prejudice, the Commission is committed to a renewed emphasis in the area of officer conduct. Research in community relations suggests that negative racial attitudes need not be translated into improper and unprofessional conduct. To ensure this, supervisors are requested to make officers aware of the

elements of their attitudes that may result in unacceptable behavior or may trigger hostile responses from persons in the environment. Bureau commanding officers are to be held responsible for the continuous monitoring of each of their Area's efforts to achieve positive personnel attitudes and professional conduct, and the success of these efforts.

5. Response to Business Disputes

The Police Commission has revised the Department's civil dispute intervention policy to specify more clearly under what circumstances and in what manner police officers will respond to the scene of business disputes, as follows:

1. The presence of police officers at the scene of a civil dispute can have an intimidating effect upon unsophisticated persons and is a tactic often employed by individuals and establishments seeking to avoid the more cumbersome civil process. Normally, officers shall not respond to the scene of business disputes where no crime has been reported. In those exceptional cases, where criminal activity appears imminent, a response may be made for the purpose of preserving the peace. Involvement by members of this Department shall be limited to preventing criminal activity and encouraging all parties to pursue appropriate civil remedies. Officers shall scrupulously avoid taking sides in any business dispute or giving the appearance that this may be the case.

2. Officers shall not respond to calls for the purpose of:

Assisting with the collection of any bill.

Assisting with any repossession.

Assisting with the discontinuance of any service.

Assisting in any eviction.

Exceptions may be made in the event of a request for assistance by a governmental agency whose responsibilities include executing civil processes.

Appropriate modification of the Manual of the Los Angeles Police Department and recruit and in-service training procedures should be made immediately.

6. Handcuffing Procedure

The Commission has noted that in some instances persons have been handcuffed under circumstances which seemed most inappropriate. Our policy presently provides the following:

*Handcuffing of misdemeanor prisoners is discretionary; however, in situations where an arrestee gives any indication that he might become belligerent, the arrestee shall be handcuffed with his hands behind him.

*Normally, felony arrestees shall be handcuffed; there are, however, situations with extenuating circumstances which would make the handcuffing of an arrestee inappropriate, e.g., the arrest of an elderly person or severely disabled person. Such circumstances can best be judged by the involved officer who should evaluate all available facts concerning each arrestee and situation prior to handcuffing an arrestee. Factors involved in making this decision include, but are not limited to:

- the possibility of the arrestee's escaping;
- the possibility of escalating the incident;
- potential threat to officers and other persons;
- knowledge of the arrestee's previous encounters with law enforcement.

We see no need to change present policy but we recognize the necessity for officers to receive further training in the use of discretion, with special emphasis on those situations where the suspect no longer presents a threat to officers or others.

7. Evaluation of Officers for Remedial Training

Area and division commanding officers shall continue to monitor all altercation reports involving officers under their supervision and evaluate the need for training and/or other administrative action. Additionally, these commanding officers shall formalize their review systems so that any officer experiencing three or more altercations within a twelve month period shall be made the subject of an in-depth review and evaluation. This evaluation will be made by the employee's immediate and second-level supervisors as well as the area/division commanding officers. Each of the incidents will be reviewed in depth by these supervisors, and remedial training will be recommended, when warranted.

III.

COMMUNITY RELATIONS

1. Statement of Problem

The shooting of Eulia Love has served as a lightning rod for the expression of deeply felt hostility concerning various police practices in the minority communities of this City. In the months that followed the tragedy, public hearings conducted by both the City Council and the Board of Police Commissioners provided a forum for an outpouring of criticism, anger, fear and distrust, particularly by representatives of the black community.

Citizens testified about alleged excessive force and improper tactics and their conclusion that the Department does not hold officers accountable for wrongdoing. They described a police service that was not sufficiently responsive to minority needs. Above all they expressed dissatisfaction with the official evaluation of incidents conducted internally by the Department and questioned the ability of the police to police themselves. Renewed calls continue to be made for a Civilian Review Board as a remedy.

Although the Department made few public statements concerning the erosion of confidence between police and minorities before the death of Eulia Love, both individual officers and Department management were aware of a growing problem. In 1976 when the Department attempted to evaluate its effectiveness in reducing

neighborhood crime, residents of South-Central Los Angeles proved more likely than others to rate the Department as "not very effective". Shortly after becoming Chief of Police, Chief Gates directed the Community Relations Section to assess police-community relations in the Hispanic and black communities to ascertain the extent of community tension and its causes. In its report one year ago the Department's Community Relations Section described the erosion of a vital base of community support:

"...a general feeling of dissatisfaction and frustration among a growing number of blacks and Latinos with the quality of police service in their communities. Their dissatisfaction stems from what they perceive as officers' demeaning, self-righteous, insensitive, and racist attitudes. These attitudes are communicated through verbal expressions of hostility, sarcasm, and aggression. The frustration comes from a general belief that the Department not only turns a deaf ear to complaints of police wrongdoing, but that it encourages or at least tacitly approves such wrongdoing. They believe the Department's routine manner of handling complaints of this type is biased and untrustworthy. They accuse the Department of using rationalizations tending to justify the involved officer's actions and disciplining a guilty officer much less severely than would be done if he had violated only a minor Department regulation. As a result, many complaints alleging improper and unprofessional attitudes and misconduct are reported to community

service organizations rather than to the police. In the eyes of a growing number of people in these communities, the Department is indifferent and not responsive to the needs of minority groups. This is the major source of their anger and frustration."

In the past, residents of South-Central Los Angeles have been among the strongest supporters of the Los Angeles Police Department. They have consistently voted in favor of measures designed to increase officers' benefits and departmental resources--often by majorities far larger than those in other communities. Nonetheless, a serious conflict has been developing in the area of police-community relations. The depth of this conflict was harshly reflected in a public opinion poll following the death of Eulia Love. A Los Angeles Times survey taken four months after the shooting showed that only 30 percent of the citizens of the black community were satisfied with the way the Department was doing its job, a precipitous decline of 24 per cent over a period of eighteen months.

The Police Commission does not accept the inevitability of antagonism between the Department and the black and Hispanic persons who look to it for protection and service. Committed to the lessening of police-community tension, the Commission has examined the problems described in the Department's study and verified by the representatives of minority communities.

In the foregoing section of this report we have established a number of changes in training designed to improve levels of mutual understanding, proper conduct and effective police service.

Toward that same end and as part of our further examination, we have conducted a preliminary review of citizen complaints against Department personnel. This preliminary review will be discussed in Section IV of our report to be released subsequently. Our preliminary review of the citizen complaint process may well lead to further changes in the administration and implementation of that process. In addition to these further changes, we are setting forth in this section specific steps the Commission has taken.

2. Direct Commission Involvement in Misconduct and Serious
Injury Cases

Citizen complaints against Department personnel--their nature, investigation, adjudication and ultimate disclosure to the public--are matters of utmost concern to the Commission, requiring direct involvement in the following fashion.

- A. The Chief of Police or his designee shall report orally to the Commission on any case under investigation where there is a serious injury to any person and misconduct is alleged or indicated. This report shall be made at the earliest opportunity.
- B. A confidential written summary of each case involving an allegation of serious misconduct against a member of the Department is being prepared, immediately following its adjudication by the Chief of Police, for consideration by the Commission in executive session.
- C. The Commission shall cause an audit of investigations of alleged misconduct to be made routinely and in individual cases.

- D. The Commission will participate directly in the review and final adjudication of incidents resulting in serious physical injury to persons in the custody of, or as a result of, contact with Department personnel.

- E. The Commission has recently taken a test case involving allegations of misconduct and has assigned a Commissioner to monitor the progress of the case and the effectiveness of the complaint process from beginning to end.

3. Accountability to the Public

Minority persons questioned on the subject of police-community relations have stressed that the mechanisms for communication do exist but unfortunately the community feels that the lines are not open. In order to strengthen existing methods and find new avenues for accountability, the Commission will adopt the following procedures:

A. Department's Response to Complainants

After the investigation of a citizen complaint has been completed, the complainant is notified in writing. In the past, the letter of notification has been brief, without explanation of the reasons for adjudication. The Board has determined that as a matter of future policy, a detailed statement concerning the results of an investigation and the conclusions reached with respect to a specific complaint will be furnished to the complainant. The nature of disciplinary action, if any, will be included.¹

¹We have requested an opinion from the City Attorney regarding the full, written disclosure of material to complainants. Such disclosure is dependent upon the concurrence of City Attorney.

B. Officers' Business Cards

In order to provide high level service the Department must hear from the people of Los Angeles. It is incumbent on the Department to assure the public that comments are received openly, that they are viewed by administrators as crucial to their ongoing review of police practices, that they are considered and used as a management tool in the evaluation of officers' performance, and that they are correctly acknowledged when acknowledgement is warranted.

Community Relations Guidelines, recently directed to all Commanding Officers in Operations on October 22, 1979, underscore this view:

"The only sure way to develop positive attitudes throughout the entire community is through the delivery of prompt, efficient and courteous police service which is truly responsive to the needs and expectations of the citizens we serve. The best way to be sure we are fulfilling our obligation to the public is to receive constant feedback which keeps us informed about how well we are doing in the eyes of the public."

To this end the Commission is directing the Department to issue business cards to each officer for distribution to the public in the course of official duty. These cards will include the

officer's name and the name of the division to which citizen comments should be directed. The Department Manual will be amended to read as follows, effective immediately:

"When any person detained by a member of this Department is subsequently released without being booked or cited, the responsible officer shall explain the reason for the detention. Prior to the person's release, the officer shall provide the detained person with an official Department business card, complete with his/her name and division of assignment. Subsequently, the Department has the responsibility of returning the person to the place where he or she was originally detained."

4. Assignments to Minority Areas

The Commission believes that the Department correctly assessed some causes of citizen dissatisfaction with police service in its Community Relations report of December 4, 1978:

"The inability of certain officers...to exercise patience and tolerance in dealing with minorities."

"Lengthy assignments in areas considered 'war zones'...in many instances lessen an officer's efficiency and creates within him a cynical attitude."

Generally, Los Angeles Police officers are well selected and trained but in any group individual temperaments will differ. Certain personal skills, while not necessarily better than others, are more suited to effective police work in minority communities. The Commission believes that assignments to communities where there is a serious problem in police-community relations, should in some instances be treated as specialized assignments and handled in a fashion similar to other assignments long recognized as specialized by the Department. Such an assignment philosophy should take into account the personal skills and abilities necessary to the rebuilding of trust between police officers and the minorities they serve. Similarly, individuals whose skills and attitudes are not particularly well suited to service in such areas should be

identified and assigned to more compatible duties. We direct the Department to review its assignment system for the purpose of developing appropriate procedures to implement the above and to report to the Commission within 30 days.

5. Experimental Community Relations Program

A. Steering Committee Concept

The Board of Police Commissioners recognizes that the ability of the police to provide optimum service to the community is dependent upon continuing public respect and approval. When there is a serious erosion of that respect and approval, as recently documented in South-Central Los Angeles, a means of rebuilding mutual trust must be established. To this end the Commission has set up a steering committee representing a broad constituency of the black community, with the aim of improving police-community relations in 77th, Southeast and Southwest Divisions.

The steering committee has named six of its members² to serve on a special task force to conduct inquiries into specific police-community problems. The Department has instructed its

²Professor Reginald Alleyne, UCLA School of Law; Mr. Jim Cleaver, Executive Editor, Los Angeles Sentinel; Dr. Claudia Hampton, Director of Human and Schools Community Relations Office, Los Angeles Unified School District; Ms. Mary Henry, Executive Director, Avalon-Carter Community Center; Mr. John Mack, President, Urban League of Los Angeles; and Mrs. Lola McAlpin-Grant, Assistant Dean, Loyola Law School.

Community Relations Coordinator, a Commander, to meet with the task force on a regular basis. Issues will be dealt with in a priority order established by the steering committee. The task force will present a specific problem facing its community to the Coordinator and both parties will agree upon a correctly written statement of the problem. That statement will be transmitted immediately and directly to the steering committee, the Chief of Police and the Board of Police Commissioners.

At no time will the Coordinator act as a buffer but will put all the means of the Department at the disposal of the task force in an effort to explore and resolve the question at issue. The task force will be expected to fully investigate its concern and document its findings. A complete sharing of all relevant information is essential to the success of this task. The only relevant information that will not be disclosed during the inquiry will be that which has been declared confidential by the City Attorney.

When an inquiry is concluded, recommendations and observations of the task force will be forwarded to the steering committee which in turn will forward them, with or without modification, to the Chief of Police and the Board of Police Commissioners, for their consideration.

Steps will also be taken to implement a similar committee/task force structure to address the needs of the large Hispanic communities throughout the city--with particular emphasis in the San Fernando Valley, Venice and Central areas.

B. Expansion of Community Council

An alternative approach to lessening police-community tension is the use of a citizen community council, representing a cross-section of citizens in a particular community, but working at the local level with an Area Commander. Problems in Hispanic-police-community relations have been identified in Harbor Division and a coordinating council set up to resolve the concerns that have been raised. In this particular instance, however, we have experimented with the expansion of the council concept by assigning a Commissioner who has been participating in the selection of council members and in subsequent meetings.

The Commission is deeply concerned about any breakdown in communications that threatens confidence in the Department. We want to try these two new approaches for a period of time, compare the results, and determine whether either, both or a combination of both is suitable for expansion citywide.

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